

Ordinance No. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GEORGETOWN, TEXAS ("CITY") AMENDING CHAPTER 1 OF THE UNIFIED DEVELOPMENT CODE RELATING TO THE ADOPTION OF THE UDC DEVELOPMENT MANUAL, CITY CONSTRUCTION SPECIFICATIONS AND STANDARDS MANUAL, DRAINAGE CRITERIA MANUAL, UTILITY IMPROVEMENT AND EXTENSION POLICY, ACCESS MANAGEMENT POLICY, AND MUNICIPAL UTILITY DISTRICT POLICY; REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS; MAKING SUCH OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; PROVIDING FOR A PENALTY; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, House Bill 3167, enacted by the Texas Legislature on May 21, 2019 and signed into law by the Governor on June 14, 2019, requires the municipal authority responsible for approving plats to approve, approve with conditions, or disapprove a subdivision plan, subdivision construction plan, site plan, land development application, site development plan, preliminary plat, general plan, final plat, or replat within 30 days of the date the application is filed, beginning September 1, 2019; and

WHEREAS, House Bill 3167 additionally requires the municipal authority to provide the applicant a written statement that clearly articulates each of the conditions for the conditional approval or reasons for disapproval, including a citation to the law that is the basis for the condition or reason; and

WHEREAS, the City Council finds it necessary to amend Chapter 1 of the Uniform Development Code (UDC) and adopt certain manuals, standards, and policies by ordinance in order to comply with House Bill 3167 as set out herein.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GEORGETOWN, TEXAS THAT:

Section 1. The facts and recitations contained in the preamble of this ordinance are hereby found and declared to be true and correct and are incorporated by reference herein and expressly made a part hereof, as if copied verbatim.

Section 2. The following manuals, standards, and policies are hereby adopted as of the effective date of this Ordinance and shall be made available for inspection in the City Secretary's Office located at 808 Martin Luther King, Jr. St., Georgetown, TX 78626:

- A. The UDC Development Manual currently on file with the City's Planning Department at 406 W. 8th Street, as last amended on July 11, 2019.
- B. The City Construction Standards and Specifications Manual currently on file with the City's Systems Engineering Department at 300-1 Industrial Avenue, as last amended on July 30, 2018.
- C. The Drainage Criteria Manual currently on file with the City's Systems Engineering Department at 300-1 Industrial Ave, as last amended on January 12, 2004.
- D. The Utility Improvement and Extension Policy currently on file with the Systems Engineering Department at 300-1 Industrial Avenue, as adopted on August 28, 1990 as Ordinance 900404.
- E. The Access Management Policy currently on file with the City's Systems Engineering Department at 300-1 Industrial Avenue, as last amended November 2006.
- F. The Municipal Utility District Policy currently on file with the City Manager's Office at 808 Martin Luther King, Jr. St., as last amended July 24, 2018.

Section 3. Chapter 1 of the UDC is hereby amended as follows:

A. Section 1.11 ("UDC Development Manual") is hereby deleted in its entirety and replaced with the following:

SECTION 1.11. - UDC DEVELOPMENT MANUAL

The UDC Development Manual contains technical and procedural requirements for the submittal of development applications, as well as application forms, checklists, calendars and other materials to aid applicants in the preparation and submittal of applications. The UDC Development Manual may be amended from time to time by the Director, following posting of the proposed changes on the City's website and a 15-day public comment period.

B. Section 1.12 ("City Construction Specifications and Standards Manual") is hereby deleted in its entirety and replaced with the following:

SECTION 1.12. - CITY CONSTRUCTION SPECIFICATIONS AND STANDARDS MANUAL

The City Construction Specifications and Standards Manual contains specifications, standards, and requirements for the construction of public improvements. The City Construction Specifications and Standards Manual

may be amended from time to time by the City's Development Engineer, following public notice and a 30-day public comment period.

C. Section 1.13 ("Drainage Criteria Manual") is hereby deleted in its entirety and replaced with the following:

SECTION 1.13. - DRAINAGE CRITERIA MANUAL

The Drainage Criteria Manual establishes drainage design procedures and standards for stormwater management systems within the jurisdiction of the City of Georgetown. The Drainage Criteria Manual may be amended from time to time by the City's Development Engineer, following public notice and a 30-day public comment period.

D. The following is hereby added as Section 1.16 of the UDC:

SECTION 1.16. – UTILITY IMPROVEMENT AND EXTENSION POLICY

The Utility Improvement and Extension Policy contains specifications, standards, and requirements for projects that desire to connect to Georgetown Utility Systems infrastructure. The Utility Improvement and Extension Policy may be amended from time to time by ordinance.

E. The following is hereby added as Section 1.17 of the UDC:

SECTION 1.17. – ACCESS MANAGEMENT POLICY

The Access Management Policy contains specifications, standards, and requirements for properties that desire to connect to public streets, roadways, or rights-of-way in the city limits or the ETJ. The Access Management Policy may be amended from time to time by the City's Development Engineer, following public notice and a 30-day public comment period.

F. The following is hereby added as Section 1.18 of the UDC:

SECTION 1.18. – MUNICIPAL UTILITY DISTRICT POLICY

The Municipal Utility District Policy contains guidelines and requirements for properties that seek the City's consent to establish a municipal utility district within the city limits or the ETJ. The Municipal Utility District Policy may be amended from time to time by the City Manager, following public notice and a 30-day public comment period.

Section 4. All ordinances or resolutions that are in conflict with the provisions of this ordinance are, and the same are hereby, repealed and all other ordinances or resolutions of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

Section 5. Any person, firm, or corporation found in violation of the provisions or terms of this Ordinance, or any of the rules, regulations, requirements, procedures, standards, guidelines, or other mandatory provisions of any of the manuals, standards, or policies adopted herein, as heretofore amended, shall constitute a misdemeanor subject to the penalties prescribed under Section 1.08.010 of the Code of Ordinances of the City of Georgetown, as may be amended from time to time.

Section 6. If any provision of this ordinance, or application thereof, to any person or circumstance, shall be held invalid, such invalidity shall not affect the other provisions, or application thereof, of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are hereby declared to be severable.

Section 7. The Mayor is hereby authorized to sign this ordinance and the City Secretary to attest. This Ordinance shall become effective and be in full force and effect in accordance with the provisions of the City Charter of the City of Georgetown.

PASSED AND APPROVED on First Reading on the _____ of _____, 2019.

PASSED AND APPROVED on Second Reading on the _____ of _____, 2019.

ATTEST:

THE CITY OF GEORGETOWN

Robyn Densmore, City Secretary

Dale Ross, Mayor

Charlie McNabb, City Attorney